IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.8.2007

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THE HON'BLE MR.JUSTICE M.JAICHANDREN

Writ Petition No.27902 of 2007

K.Shankar .. Petitioner

vs.

1. The Revenue Divisional Officer,
   Thiruvallur,
   Thiruvallur District.

2. The Tahsildar,
   Poonamallee Taluk,
   Thiruvallur District.

.. Respondents

This writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus to direct the respondent to release the seized Tractor band Trailer bearing Registration No.TNH 9682, TNZ 2769, seized on 16.8.2007, by the respondent to the petitioner.

For petitioner : Mr.E.Martin Jeyakumar
For respondents : Mr.A.Arumugam
Additional Government Pleader

O R D E R

Mr.A.Arumugam, the learned Additional Government Pleader takes notice for the respondents.

2. With the consent of the learned counsels appearing on either side, the writ petition itself is taken up for final disposal.

3. Considering the facts and circumstances of the case, the respondents are directed to release the Tractor and Trailer bearing Registration No.TNH 9682, and TNZ 2769 to the petitioner, on the following conditions:-

A) The petitioner shall establish the ownership of the vehicle by producing the necessary documents

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before the Respondents.

B) The petitioner shall not part with or alienate the vehicle in any manner till the adjudication is over.

C) The petitioner shall deposit with the respondents a sum of Rs.15,000/- (Rupees Fifteen Thousand only) in cash, as agreed.

D) The petitioner shall file an undertaking that he will not use the vehicle for any illegal activities in future and also to produce the vehicle before the respondents as and when called for.

E) The petitioner shall also produce the vehicle once in two months before the respondents herein in order to ensure that condition (B) is properly complied with.

4. In the event of default by the petitioner in complying with condition B or E, it will be open to the respondents to seize the vehicle, without further notice to the petitioner.

5. With the above directions, this Writ Petition is disposed of, at the admission stage itself. No costs.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

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To

1. The Revenue Divisional Officer,
   Thiruvallur,
   Thiruvallur District.

2. The Tahsildar,
   Poonamallee Taluk,
   Thiruvallur District.

+1CC TO Mr.E.Martin Jeyakumar, Advocate Sr 53811

+1cc to Govt. Pleader Sr 54086

GG (CO)
km/30.8.

W.P.No.27902 of 2007

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